



DEPARTMENT OF BUSINESS AFFAIRS AND CONSUMER PROTECTION
CITY OF CHICAGO

AMENDED PLAN OF OPERATION

Licensee: El Guero Food & Liquors, Inc.
Premises: 9027-9029 S. Commercial Avenue
Chicago, Illinois 60617
Licenses: Retail Tobacco; Retail Food; Packaged Goods Liquor
Account: 432509

Pursuant to the Municipal Code of Chicago ("Code") § 4-60-040(h) §4-4-313, the Department of Business Affairs and Consumer Protection ("BACP")/ Local Liquor Control Commission ("LLCC") of the City of Chicago and the above named licensee have agreed to the issuance of Packaged Goods Liquor license, and Retail Tobacco license under the following conditions:

1. Outdoor Lighting – Licensee shall maintain adequate exterior lighting to ensure the safety of patrons and employees, to the limited extent such lighting is within the jurisdiction and control of the Licensee. The lighting shall be able to produce discernable images from a distance of fifteen (15) feet in front of and on the sides of any business entrance. The Licensee will promptly notify the landlord of any issues with the exterior lighting system or if any exterior lights are not operable.
2. Security Cameras – Licensee shall install and maintain security cameras inside and outside of the premises as follows:
 - a. The cameras are sufficiently light sensitive and provide sufficient image resolution to produce easily discernable images;
 - b. The images recorded by the cameras will be capable of being viewed through use of compact disc, electronic file transfer, and other digital media and are capable of being transferred to a variety of portable form of media including, but not limited to, compact disc and digital video disc;
 - c. The cameras can view and record persons on the public way and as they enter the premises;

- d. Such cameras shall be able to record discernable images from a minimum distance of 15 feet in front of and on the sides of any business entrance;
 - e. The licensee shall maintain such cameras and video recording for a minimum of 72 hours, and indexed by date and time. All recording shall be stored at the licensed premises in a secured manner and be made immediately available upon request of any City of Chicago agency.
-
- 3. Security- Licensee shall have onsite security between the hours of 7:00pm and 2:00a.m on Friday and Saturday. The security personnel shall wear clothing or armbands which identify them as “Security” while on duty. Security personnel shall be responsible for monitoring the interior and exterior of the premises to ensure customers conduct themselves in a lawful manner.
 - 4. Unobscured Windows – Licensee agrees to ensure that signage on store windows will be limited and not obstruct a clear view to the interior.
 - 5. Sale of Unstamped Tobacco Products Prohibited – Licensee agrees that it is familiar with, and shall abide by, § 3-42-020 and § 3-42-025 of the Code, which prohibit the sale of tobacco products without the required city and county tax stamp.
 - 6. Sale of Tobacco Products or Accessories to Minors Prohibited – Licensee agrees that it is familiar with, and shall abide by, § 4-64-345 of the Code, which prohibits the sale of tobacco products or tobacco accessories to any individual under 21 years of age. Licensee agrees that it shall institute a strict, written policy that requires all employees to check the identification of all patrons purchasing tobacco products to ensure compliance with the Code. Because Licensee is responsible for the acts of its employees, Licensee shall ensure that every employee is trained to follow this policy regarding requesting identification of all persons purchasing such tobacco product prior to any employee working behind the register.
 - 7. Posting of Warning Sign to Minors – Licensee agrees that it is familiar with, and shall abide by, § 4-64-360 of the Code, and will display the required warning signage in a conspicuous location inside the licensed premises that reads, “It Is A Violation Of The Law For Cigarettes Or Other Tobacco Products Or Tobacco Accessories To Be Sold To Any Person Under The Age Of 21. Any Person Who Violates This Law Is Subject To A Fine And Possible Imprisonment.”
 - 8. Restrictions on Hiring Persons Under 21 Years of Age – Licensee agrees that it is familiar with, and shall abide by, § 4-64-520 of the Code, which permits a retail tobacco dealer to employ a person under 21 years of age to work on the license premises IF the person under 21 years of age has no duties related to the sale, dispensing, service, or delivery of tobacco products on the premises.
 - 9. Recordkeeping – Licensee agrees that it is familiar with, and shall abide by, § 4-64-500 of the Code, which requires a retail tobacco dealer to keep a book in which details all

purchases of cigarettes are records, and which book is available for inspection upon request by the City of Chicago.

10. Sale of Single Cigarettes – Licensee agrees that it is familiar with, and shall abide by, § 4-64-350 of the Code, which prohibits offering for sale or selling any cigarette or tobacco that is not in its original factory-wrapped package.
11. Sale of Bidi Cigarettes – Licensee agrees that it is familiar with, and shall abide by, § 4-64-355 of the Code, which prohibits offering for sale or selling any bidi cigarettes. Licensee further agrees not to offer for sale or sell any cigarette wrapping paper or leaf that is impregnated, scented with, or dipped in alcoholic liquor, chocolate, fruit flavoring, vanilla, or honey.
12. Sale of Electronic Cigarettes – Licensee agrees that it is familiar with, and shall abide by, § 7-32-010 of the Code, and which includes electronic cigarettes in the definition of tobacco products thereby subjecting electronic cigarettes and E-cigarettes to the same restrictions as other tobacco products.
13. Sale of Synthetic Marijuana and Synthetic Stimulants – Licensee agrees that it is familiar with, and shall abide by, § 4-4-333 and § 4-4-334 of the Code, which prohibit the possession, sale, offering for sale, or concealment of any product containing hallucinogenic substances or synthetic stimulants, including, but not limited to, bath salts.
14. No Loitering Tolerated – Licensee agrees to urge loiterers NOT to congregate on the public way in front of or on any side of the licensed premises. Licensee agrees to call 911 to report illegal activity including, but not limited to, loitering in or adjacent to the licensed premises and to sign complaints.
15. 911 & Incident Logs – Licensee, its employees, and security guards shall immediately, or as soon as practicable, report all observed illegal activities occurring on or within sight of the licensed premises to 9-1-1. All placed calls shall be from a landline, if available, and all callers shall, at minimum, in addition to identifying the name of the business and its address, state their name and relationship to the licensed premises. This log shall be kept on the licensed premises for a period of at least one (1) year and made immediately available to the Chicago Police Department (“CPD”) or the Department of Business Affairs and Consumer Protection (“BACP”) upon request.
16. Cooperation with Chicago Police Department – Licensee, or a designated representative for El Guero Food & Liquors, Inc., shall attend all CAPS (Community Alternative Policing Strategy) meetings and any other similar CPD sponsored meetings to improve awareness with community concerns of problems regarding operation of the business or within the neighborhood. The Licensee or its representative shall sign-in on an attendance sheet at all meetings. The absence of the signature of a representative from El Guero Food & Liquors, Inc. on an attendance sign-in sheet shall be prima facie evidence of non-attendance.

17. Community Participation - Licensee shall work with the local alderman and other community groups to address any issues with the operation of the business.
18. Trash and Garbage Disposal - Licensee shall remove any trash and debris outside of the licensed premises including the front, sides, and rear of the premises. Licensee shall maintain a regular schedule of cleaning.
19. Store Policies – Licensee agrees that it is familiar with, and shall abide by, the Rules and Regulations for Retailers, including Rule 20, which requires posting its refund, return, and check-writing policies in a conspicuous manner on a sign at each cash register or other centrally located area accessible to the public. If Licensee has a credit or debit card policy imposing a minimum charge for use of a credit or debit card, such policy must also be posted in a conspicuous manner.
20. Price Marking – Licensee agrees that it is familiar with, and shall abide by, the Rules and Regulations for Retailers, including Rule 31, which requires individual price marking all items for sale in the establishment.
21. Sale of Unlicensed Merchandise – Licensee agrees that it will not stock, display or sell merchandise that is not officially licensed. Such merchandise may infringe upon trademarks and is illegal.
22. Sale of Outdated Food and Over-the-Counter Medications – Licensee agrees that no outdated and expired products will be shelved or offered for sale with fresh products.
23. Receipts – Licensee agrees that it is familiar with, and shall abide by, the Rules and Regulations for Retailers, including Rule 32, which requires the licensee to supply a written receipt for each transaction that contains at a minimum, the date and amount of the transaction, and the name and location of the retailer.
24. Cooperation with Inspections – Licensee agrees that it is familiar, with and shall abide by, § 4-64-500 (3) of the Code which requires the following:
 - a. Licensees and their agents who sell tobacco shall present valid government-issued identification when an authorized City investigator has identified themselves and requested such identification;
 - b. Licensees and their agents shall be prohibited from closing and locking safe doors and other doors, including, but not limited to, doors to closets and storerooms, when an authorized City investigator has identified themselves and announced their intention to inspect the premises for compliance with the requirements of this Code;
 - c. Licensees and their agents shall immediately stop selling cigarettes and other tobacco products when an authorized City investigator has identified themselves

and announced their intention to inspect the premises for compliance with the requirements of this Code; and

- d. Within thirty minutes of the arrival of any authorized City investigator charged with responsibility for inspecting the licensed premises, Licensee shall have a person available on site to open any locked safe or door where unstamped cigarettes may be hidden.

The agreed conditions of this Plan of Operation are legally binding and may be enforced by City of Chicago enforcement authorities. Violations of the above-stated agreed conditions may result in the imposition of a fine, and/or suspension or revocation of all business licenses issued to Licensee. Violations of the above-stated agreed conditions may also result in the issuance of cease and desist orders prohibiting the activity which violates the conditions of the license.

The agreed conditions of this Plan of Operation shall apply to the business address and Licensee and to all officers, managers, members, partners, and direct or indirect owners of the entity which is licensed. The sale of the business to other persons purchasing the stock of the licensed entity, any change of officers of the Licensee, and any person or entity who is a successor, assign, or transferee of the business, shall be subject to the same conditions as set forth in this plan.

It shall be the duty of every person conducting, engaging in, operating, carrying on, or managing the above-mentioned business entity to post this Plan of Operation next to the license certificate(s) in a conspicuous place at the business address.

Licensee: El Guero Food & Liquors, Inc.

**Premises: 9027-9029 S. Commercial Avenue
Chicago, Illinois 60617**



Tasheen Shubbak, President
El Guero Food & Liquors, Inc.

6/18/19
Date Signed

- and -



Shannon K Trotter
Local Liquor Control Commissioner
City of Chicago

6/17/19
Date Signed